

BOARD OF PUBLIC WORKS
August 24, 2005

A regular meeting of the Board of Public Works of the Consolidated City of Indianapolis, Marion County, Indiana, was held the 24th day of August 2005, in the Public Assembly Room in the City County Building. Chair James Garrard called the meeting to order at 1:00 p.m.

Board members in attendance were:	James Garrard	Sue Schalk	Alfred Finnell
	Kip Tew	Roger Brown	Gregory Taylor

Absent

Staff in attendance were:	Matt Senseny	Evelyn Thompson	Maryam Williams
	Jeff Sirmin	Pat Carroll	DeAnn Milliken
	George Krack	Gary Taylor	Ron Stinson
	Sandy Shafer	John Morgan	Bob Zieles
	Jim Crute	Ron Davis	Robert Ransom
	Mike Smith	Carlton Ray	Jeff Simnick
	Michael Rogers	Alison Gritton	Shawn Brock
	Kumar Menon	Mona Salem	Larry Jones
	Earl Morgan	Pegg Warnick	Margie Smith-Simmons
	Bill Chappell	Mike Hill	John Burkhardt

ITEM # 1 – APPROVAL OF MINUTES

Upon a motion by Mr. Tew, seconded by Mr. Finnell, the Board voted 6-0 to approve and accept the Board Minutes from July 13, 2005.

ITEM # 2 – RESOLUTIONS

- a. Resolution No. 70, 2005; Petition for Modification of the Right of Way of Pence Regulated Drain Bollenbacher Properties, LLC

Staff recommended that the Board of Public Works approve and adopt Resolution No. 70, 2005, granting modification of the right of way of the Pence Regulated Drain. The petitioner has requested modification of the right of way of the Pence Regulated Drain in order to construct a commercial building, parking lot and private street. Upon a motion by Mr. Tew, seconded by Mr. Finnell, the Board voted 6-0 to approve and adopt Board Resolution No. 70, 2005.

- b. Resolution No. 69, 2005; Parking Meter Waiver Fee for the Indiana Sports Corp

Staff recommended that the Board of Public Works approve and adopt Resolution No. 69, 2005, for the waiver of parking meter fees for the 2005 VISA Championships Gymnastics Nationals, a not for profit event. Upon a motion by Mr. Tew, seconded by Mr. Brown, the Board voted 6-0 to approve and adopt Board Resolution No. 69, 2005.

- c. Resolution No. 72, 2005; Parking Meter Waiver Fee for the Heavy Duty/Medium Fleet Conference

Staff recommended that the Board of Public Works approve and adopt Resolution No. 72, 2005, for the waiver of parking meter fees for the Heavy Duty/Medium Duty Fleet Conference, a not for profit event. Upon a motion by Mr. Tew, seconded by Mr. Brown, the Board voted 6-0 to approve and adopt Board Resolution No. 72, 2005.

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- d. Resolution No. 76, 2005; Memorial Service for Dick Suekawa, Federal Security Director of Indianapolis International Airport

Staff recommended that the Board of Public Works approve and adopt Resolution No. 76, 2005, for the waiver of parking meter fees for the Memorial Service of Dick Suekawa, Federal Security Director of Indianapolis International Airport, a not for profit event. Upon a motion by Mr. Tew, seconded by Mr. Brown, the Board voted 6-0 to approve and adopt Board Resolution No. 76, 2005.

- e. Resolution No. 67, 2005; Parking Meter Waiver Fee for the Ronald McDonald House of Indiana Event

Staff recommended that the Board of Public Works approve and adopt Resolution No. 67, 2005, for the waiver of parking meter fees for the Ronald McDonald House of Indiana, a not for profit event. Upon a motion by Mr. Tew, seconded by Ms. Schalk, the Board voted 6-0 to approve and adopt Board Resolution No. 67, 2005.

- f. Resolution No. 68, 2005; Parking Meter Waiver Fee for the Indianapolis Police Department Event

Staff recommended that the Board of Public Works approve and adopt Resolution No. 68, 2005, for the waiver of parking meter fees for the Indianapolis Police Department, a not for profit event. Upon a motion by Mr. Tew, seconded by Ms. Schalk, the Board voted 6-0 to approve and adopt Board Resolution No. 68, 2005.

- g. Resolution No. 75, 2005; Parking Meter Waiver Fee for the National Hot Rod Association Event

Staff recommended that the Board of Public Works approve and adopt Resolution No. 75, 2005, for the waiver of parking meter fees for the National Hot Rod Association, a not for profit event. Upon a motion by Mr. Tew, seconded by Ms. Schalk, the Board voted 6-0 to approve and adopt Board Resolution No. 75, 2005.

ITEM # 3 – COMPLETION AND COMPLIANCE AFFIDAVITS FOR THE RESIDENTIAL DEVELOPMENT

- a. Completion and Compliance Affidavit for the Residential Development for the Southport Green Section 2 Sub-Division

Staff recommended that the Board of Public Works accept the reports and documents for street construction, Southport Green Section 2 Sub-Division, into the City of Indianapolis' inventory of maintenance responsibility. The contractor or developers' three-year maintenance bond (s) covering the phases of street construction has been with the Department of Metropolitan Development. Upon a motion by Mr. Tew, seconded by Mr. Finnell, the Board voted 6-0 to accept the Completion and Compliance Affidavit for the Residential Development of the Southport Green Section 2 Sub-Division.

- b. Completion and Compliance Affidavit for the Residential Development for Crooked Creek Villages West Sections 7 & 8 Sub-Division

Staff recommended that the Board of Public Works accept the reports and documents for street construction, Crooked Creek Villages West Sections 7 & 8 Sub-Division, into the City of Indianapolis' inventory of maintenance responsibility. The contractor or developers' three-year maintenance bond (s) covering the phases of street construction has been with the Department of Metropolitan Development. Upon a motion by Mr. Tew, seconded by Mr. Finnell, the Board voted 6-0 to accept the Completion and Compliance Affidavit for the Residential Development of the Crooked Creek Villages West 7 & 8 Sub-Division.

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c. Completion and Compliance Affidavit for the Residential Development for the Harmony Section 1 Sub-Division

Staff recommended that the Board of Public Works accept the reports and documents for street construction, Harmony Section 1 Sub-Division, into the City of Indianapolis' inventory of maintenance responsibility. The contractor or developers' three-year maintenance bond (s) covering the phases of street construction has been with the Department of Metropolitan Development. Upon a motion by Mr. Tew, seconded by Mr. Finnell, the Board voted 6-0 to accept the Completion and Compliance Affidavit for the Residential Development of the Harmony Section 1 Sub-Division.

d. Completion and Compliance Affidavit for the Residential Development for the Waters Edge at Cummins Farms Section 3 Sub-Division.

Staff recommended that the Board of Public Works accept the reports and documents for street construction, Waters Edge at Cummins Farms Section 3 Sub-Division, into the City of Indianapolis' inventory of maintenance responsibility. The contractor or developers' three-year maintenance bond (s) covering the phases of street construction has been with the Department of Metropolitan Development. Upon a motion by Mr. Tew, seconded by Mr. Finnell, the Board voted 6-0 to accept the Completion and Compliance Affidavit for the Residential Development of the Waters Edge at Cummins Farms Section 3 Sub-Division.

ITEM # 4 – BID AWARDS

a. BE-51-002A; Ozone System Equipment Procurement Division A
\$6,255,460.00 – Ozonia North America

Staff recommended that the Board of Public Works award Project No. BE-51-002A, Ozone System Equipment Procurement Division A to Ozonia North America in the lump sum amount of \$6,255,460.00 on the basis that it is the lowest responsive and responsible bidder. The engineer's estimate for procurement of these ozone generators and ancillary equipment is \$9,310,400.00 and the percentage between the low bid and engineer's estimate is 33%. This project is for the procurement of new ozone generators and is the first part of a SRF funded project to restore ozone disinfection as the primary disinfection method thereby; returning, to the original AWT design concept. Procurement consists of the fabrication and delivery of two Ozone systems for disinfection wastewater at the Belmont and Southport Advanced Wastewater Treatment (AWT) Plants. Each Ozone system shall consist of four 3,000 pounds per day ozone generators, complete with power supply units, controls, piping, instrumentation, valves, and other ancillary equipment, parts, and services required for functional Ozone systems including off gas ozone destruction systems.

Mr. Sirmin, Office of Corporation Counsel stated that the bidding statutes were set up to ensure open and fair competition. He stated that to allow alterations after the day bids were submitted would not be a fair and equal playing field. He stated that when staff reviewed the bids, Ozonia's bid was found the lowest responsive and responsible bidder. He stated that the bidders responsibilities shall fulfill all conditions and qualifications set in the Invitation to Bid, Instructions to the Bidders and Technical Specification, and that failure to do so would render bidder's proposal invalid and unacceptable. He stated that the bidder must explain and describe any and all exceptions to the bid specifications. In addition, submit an explanation and description in duplicate with the bid, and by taking an exception may result in the bid being deemed non-responsive. He stated undoubtedly the bid documents confirmed more than once, that the material terms would not be altered, and that staff believed the City's position on the contract terms was clear at the time of bid. Therefore, failure of the bidder to take exception to the terms based on the terms presented in the bid document, staff found no reason to believe that Ozonia could not achieve an agreement with the City. Finally, Mr. Sirmin stated that it's the belief of staff and their recommendation that Ozonia North America's bid was the lowest responsive and responsible bidder.

Mr. Tew asked about the secure bond. Mr. Sirmin replied as with all bids, there is a bid bond, which guarantees the contractor will enter into an agreement, that he or she has agreed to by submitting the bid. Mr. Taylor asked whether

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or not there was a performance or a liability issue. Mr. Sirmin replied that he felt Mr. Schlegel could better answer the question.

Attorney, Mr. Schlegel representative for Ozonia North America, Inc., stated that this was an unfortunate situation. He stated that his client Ozonia was clearly and fully responsible, and as he understood the facts were far more advantageous to the City than the other bids. He stated that his client Ozonia strongly desired to move forward with the sell of the equipment to the City and would do so at the price of the bid. However, Ozonia submitted a bid that was contingent upon reaching an agreement on all terms. He stated that the City asked Ozonia, after the bids were opened to explain what concerns they had with the provisions of the contract. He stated that on May 20, 2005, Ozonia stated specific concerns with the contract requirements. Although, putting their concerns on the wrong page of the bid packet, bottom line, Ozonia submitted a bid by all appearance was a non-conforming and non-acceptable bid. Mr. Tew asked Mr. Schlegel what was non-conforming about Ozonia bid. Mr. Schlegel replied that both parties were unable to agree to the terms and conditions of the contract. Mr. Garrard asked Mr. Schlegel, if the Board awarded this contract today and seek Ozonia's execution or performance of the contract would Ozonia not be prepared. Mr. Schlegel replied yes, on the advice of his client Ozonia would not be able to make the sell.

Mr. Taylor asked whether or not the City would be exposed to liability based on the installation of equipment that Ozonia would install. Mr. Schlegel replied that Ozonia would be liable under its conditions for damages for failure of the equipment up to the cost of the equipment, however both parties would be liable. Mr. Tew asked were the consequential and punitive damages in the original contract. Mr. Sirmin replied yes. Mr. Tew replied that on the Bidder Declaration Sheet 1.7 Section A through D clearly indicates that there should have been an exception listed on the exceptions to specifications sheet, and asked why Ozonia did not submit one. Mr. Schlegel replied that Ozonia thought it was putting the conditions on the right page where the numbers were, and viewed the exceptions page as the exceptions as specifications. Upon a motion by Mr. Tew, seconded by Mr. Finnell, the Board voted 6-0 to approve the Ozone System Equipment Procurement Division A.

- b. Bulk Transport/Tank Wagon Fuel Delivery Service
\$4,000,000.00 – Crystal Flash 44

Staff recommended that the Board of Public Works approve the award for Bulk Transport/Tank Wagon Fuel Delivery Services to Crystal Flash Petroleum as the lowest responsive and responsible bid received which best meets the needs of the City. This term contract would be for a one-year period from the date of contract execution. This agreement provides fuel to Fleet Services to meet the necessary fuel requirements for the fueling of vehicles at the four major fuels sites as well as to the remote district locations. Fleet Services is responsible for providing fuel to all City and County agencies as well as providing fuel to authorized surrounding government agencies. Mr. Taylor asked about the minority participation and second ties for this project. Mr. Crute replied that there were no minority vendors certified for this type of work. Upon a motion by Mr. Taylor, seconded by Mr. Tew, the Board voted 6-0 to approve the Bulk Transport/Tank Wagon Fuel Delivery Service.

- c. BL-10-063; Rejection of All Bids; 52nd and Buttonwood Barrett Law Sanitary Sewer Installation
\$0.00 – Milestone Contractors, L. P

Staff recommended that the Board of Public Works reject all bids received for Project No. BL-10-063, 52nd and Buttonwood Barrett Law Sanitary Sewer Installation on the basis that the bids of Amtech Construction, Atlas Excavation and Culy Construction are non-responsive and the bids of Poindexter Excavation and Eagle Valley Construction are significantly over staff's budget. Mr. Taylor asked whether or not staff was teaching vendors on how to fill the bid documents out properly. Mr. Crute replied yes. Upon a motion by Mr. Tew, seconded by Ms. Schalk, the Board voted 6-0 to approve the Rejection of All Bids, 52nd and Buttonwood Barrett Law Sanitary Sewer Installation.

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- d. Guardrail and Accessories
\$191,488.72 – James H. Drew Corporation

Staff recommended that the Board of Public Works approve and authorize the Director to execute a contract for the purchase of Guardrail and Accessories with James H. Drew Corporation the lowest responsive and responsible bidder for an amount not to exceed \$191,488.72. The contract term would begin upon the date of execution of the contract by all parties and continues for one year. Upon a motion by Mr. Taylor, seconded by Mr. Tew, the Board voted 6-0 to approve the Guardrail and Accessories.

- e. Request for Rejection of Bids for the Concrete & Associated Materials

Staff recommended that the Board of Public Works reject all bids in response for the purchase of Concrete & Associated Materials. The contract specifications require the contractor to finish and deliver concrete and associated materials to the City of Indianapolis, Department of Public Works. The bid received was beyond the Department is budgeted amount. Upon a motion by Mr. Tew, seconded by Mr. Brown, the Board voted 6-0 to approve the Request for Rejection f Bids for the Concrete & Associated Materials.

ITEM # 5 – CHANGE ORDERS

- a. WT-11-001, #2; Flow Equalization Basins and Raw Sewage Pumping Division II Southport
\$(20.00) – Bowen Engineering

Staff recommended that the Board of Public Works approve and authorize the Director to execute Change Order No. 2 for Bowen Engineering Corporation in the decreased amount of \$(20.00) for a new contract total of \$10,141,136.00 and no increase of calendar days for Project No. WT-11-001, Flow Equalization Basins and Raw Sewage Pumping Division II Southport. This change order consists of turn stops for the wash water cannons to reduce the risk of damage to the PLC and improve personnel safety. Upon a motion by Mr. Tew, seconded by Mr. Finnell, the Board voted 6-0 to approve the Flow Equalization Basins and Raw Sewage Pumping Division II Southport.

- b. Franklin/Rawles Barrett Law Sanitary Sewer
\$5,746.31 – Millenium Contractors, LLC

Staff recommended that the Board of Public Works approve and authorize the Director to execute Change Order No. 1 for Millenium Contracts in the Millenium Contractors in the increased amount of \$5,746.31 for a new contract total of \$2,201,561.88 an increase of 5 calendar days for Project No. BL-27-042, Franklin/Rawles Barrett Law Sanitary Sewer. Upon a motion by Mr. Brown, seconded by Ms. Schalk, the Board voted 6-0 to approve the Franklin/Rawles Barrett Law Sanitary Sewer.

- c. RS-05-006, #1; Resurfacing in Center Township
\$5,071.00 – CC& T Construction

Staff recommended that the Board of Public Works approve and authorize the Director to execute Change Order No. 1 for CC & T Construction, Inc., in the increased amount of \$5,071.00 for a new contract total of \$664,842.45 and no increase of calendar days for Project No. RS-05-006, Resurfacing with Related Items in Center Township. Upon a motion by Mr. Finnell, seconded by Mr. Tew, the Board voted 6-0 to approve the Resurfacing in Center Township.

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- d. RS-04-053, #1; Resurfacing in Center Township
\$7,533.68 – Grady Brothers, Inc

Staff recommended that the Board of Public Works approve and authorize the Director to executed Change Order No. 1 for Grady Brothers, Inc., in the increased amount of \$7,533.68 for a new contract total of \$600,005.71 and an increase of 42 calendar days for Project No. RS-04-053, Resurfacing with Related Items in Center Township. This project will extend North to include Capitol from 11th Street to 13th Street. Upon a motion by Ms. Schalk, seconded by Mr. Finnell, the Board voted 6-0 to approve the Resurfacing with Related Items in Center Township.

ITEM # 6 – PROFESSIONAL SERVICE AGREEMENTS

- a. ENG-05-013; Laboratory and Field Testing of Construction Materials
\$60,000.00 – CTL Engineering, Inc

Staff recommended that the Board of Public Works approve the Professional Services Agreement for laboratory and field testing of construction materials with CTL Engineering of Indiana in the amount not to exceed \$60,000.00. This project consist of testing of soils, concrete and HMA on DPW CIP projects. Upon a motion by Mr. Taylor, seconded by Mr. Tew, the Board voted 6-0 to approve the Laboratory and Field Testing of Construction Materials.

- b. TS-25-003; 29th, 30th and 34th Streets Signal Systems in Center Township, Phase II
\$111,773.00 – A & F Engineering, Inc

Staff recommended that the Board of Public Works approve the Construction Inspection Services Agreement with A & F Engineering, Inc., for Project TS-25-003, 29th, 30th and 34th Streets Signal Systems in Center Township, Phase II project in the lump sum amount of \$111,773.00. This project consists of traffic signal systems at nine intersections. Upon a motion by Mr. Brown, seconded by Ms. Schalk, the Board voted 6-0 to approve the 29th, 30th and 34th Streets Signal Systems in Center Township, Phase II.

- c. ENG-05-006; On-Call Inspection and Design Engineering Services
\$75,000.00 – Hannum, Wagle and Cline Engineering

Staff recommended that the Board of Public Works approve the Construction Inspection Services Agreement with Hannum, Wagle and Cline Engineering for Project ENG-05-006, On-Call Inspection and Design Engineering Services project in the amount not to exceed \$75,000.00. The project consists of Professional Services Agreement for construction inspection for curb and sidewalk projects. Upon a motion by Mr. Taylor, seconded by Mr. Finnell, the Board voted 6-0 to approve the On-Call Inspection and Design Engineering Services.

- d. **The Chair diverted from the standard agenda to hear Professional Services Agreement Item 6e, item 6d was moved under Barrett Law.*

Thompson/Emerson Barrett Law Sewer & Water Main Extension Project with Drainage Improvements Alternate Bid
\$94,601.00 – Commonwealth Engineers

- e. ST-24-007; 16th Street from Stadium Drive to Alonzo Watford Sr. Drive
286,000.00 – HNTB Corporation

Staff recommended that the Board of Public Works approve the Professional Services Agreement for design with HNTB Corporation for Project ST-24-007, 16th Street from Stadium Drive to Alonzo Watford Sr. Drive project in the lump sum amount of \$286,000.00. The Engineer's Estimate is \$2,000,000.00 to \$2,500,000.00. This project consists of the enhancement of 16th Street from Stadium Drive to Alonzo Watford Sr. Drive through resurfacing of the roadway, improving drainage, new curbs, sidewalks, handicap ramps, landscaping, wayfaring signage and other

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amenities. Upon a motion by Mr. Finnell, seconded by Mr. Brown, the Board voted 4-0 to approve the 16th Street from Stadium Drive to Alonzo Watford Sr. Drive with Ms. Schalk and Mr. Tew abstaining.

- f. CS-37-001 and CS-39-001 Combined Sewer Overflow 275 and 235 Elimination
\$145,500.00 – Hanson Professional Services

Staff recommended that the Board of Public Works approve the Professional Services Agreement for Design Services with Hanson Professional Services, Inc., for Project CS-37-001 and CS-39-001 Combined Sewer Overflow 275 and 235 Elimination in an amount not to exceed \$145,500.00. The engineer's estimate for construction is \$1,570,000.00. The project provides for rehabilitation of sanitary sewers in the CSO 275 area. The projects include the separation of flows, sanitary and storm for the CSO 235 area. Mr. Tew asked if the project was a part of the CSO projects. Mr. Garrard replied yes. Upon a motion by Ms. Schalk, seconded by Mr. Tew, the Board voted 6-0 to approve the CS-37-001 and CS-39-001 Combined Sewer Overflow 275 and 235 Elimination.

- g. ST-25-045, I-65/I-70 at Market/Ohio/Washington Streets
\$1,506,655.00 – American Consulting, Inc

Staff recommended that the Board of Public Works approve and authorize the Director to execute an agreement with American Consulting, Inc., for the design of the reconstruction and relocation of the I-65/I-70 interchange from Market and Ohio Streets to Washington Street for an amount not to exceed \$1,506,655.00. The project provides design service for the reconstruction and relocation of the downtown interchange. The project will include new pavement, curbs, sidewalks, traffic signals, storm sewers, landscape, and other streetscape enhancements. Upon a motion by Mr. Brown, seconded by Mr. Finnell, the Board voted 6-0 to approve the I-65/I-70 at Market/Ohio/Washington Streets.

ITEM # 7 PROFESSIONAL SERVICE AMENDMENT

BL-10-063; 52nd and Buttonwood Barrett Law Sewer Installation, Amendment No. 1
\$3,141.80 – Triad Associates

Staff recommended that the Board of Public Works approve Amendment No. 1 to the Professional Service Agreement dated September 9, 2004 with Triad and Associates, Inc., for BL-10-063, 52nd and Buttonwood Barrett Law Sanitary Sewer Installation in the increased amount of \$3,141.80 for an amount not to exceed \$119,329.80. This amendment would add hours to the original contract for professional services. Upon a motion by Mr. Tew, seconded by Mr. Brown, the Board voted 6-0 to approve Amendment No. 1 52nd and Buttonwood Barrett Law Sanitary sewer Installation.

ITEM # 8 BARRETT LAW

- a. Kelly/Lynhurst Barrett Law Sanitary Sewer Project BL-30-056 Request to Schedule Final Public Hearing

Staff recommended that the Board of Public Works approve the Primary Assessment Roll filed with the Department of Public Works on August 1, 2005, and order a final public hearing for September 28, 2005, in the Public Assembly Room #230 of the City County Building for the Kelly/Lynhurst Barrett Law Sanitary Sewer Project, BL-30-056. The construction costs were estimated to be \$1,330,000 with an estimated 97 assessments, and the targeted assessment was established at \$8,500.00 to \$9,500.00. The bid was awarded to Eagle Valley, Inc., who had a low bid of \$1,330,000. The final construction costs will be available at the final hearing. Upon a motion by Mr. Tew, seconded by Mr. Brown, the Board voted 6-0 to approve the Kelly/Lynhurst Barrett Law Sanitary Sewer Project.

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b. Kelly/Lynhurst Barrett Law Sanitary Sewer Project BL-30-056 Appeals for Three Properties

Staff recommended that the Board of Public Works determines the properties at 4915, 5223 and 5227 W. Raymond Street are benefited in the amount of one assessment each. No records of sewer service agreements are on file with the City of Indianapolis for any of the listed addresses, and unless they can produce official documents to prove a legal connection to the sewer line they would be subject to a Barrett assessment. Upon a motion by Mr. Tew, seconded by Ms. Schalk, the Board voted 6-0 to approve three legal connections with each receiving one assessment.

c. Kelly/Lynhurst Barrett Law Sanitary Sewer Project BL-30-056 Appeals for Eight Properties

Staff recommended that the Board of Public Works determines the properties of 4725, 4909, 5217, 5219, 5221, 5225, 5239 and 5243 W. Raymond Street are benefited in the amount of one half assessment each. Each of the above listed properties has Sewer Service Agreements on file and has been paying sewer user fees. However, the connections are into manholes to a 24" interceptor and the properties share common laterals, although properties owners have a signed sewer service agreement, all are subject to a Barrett Law assessment. Upon a motion by Mr. Taylor, seconded by Mr. Tew, the Board voted 6-0 to approve eight properties receiving one half an assessment.

The Public Hearing was opened.

d. Thompson/Emerson Barrett Law Sanitary Sewer Project BL-40-047 Supplemental Public Hearing

Staff recommended that the Board of Public Works find that benefits accruing to the lots and parcels liable for assessment under Public Improvement Resolution BL-40-047 are equal to or greater than the revised engineer's estimated of \$1,292,778.00 and that the Board retain the assessment range of \$9,500.00 to \$10,500.00 per platted lot. This project is included in the Barrett Law master Plan and is ranked 1 out of 142 sanitary sewer projects, having the highest/worst score in Marion County. Upon a motion by Mr. Tew, seconded by Mr. Finnell, the Board voted 6-0 to approve the Thompson/Emerson Barrett Law Sanitary Sewer Project BL-40-047.

The Public Hearing was closed.

ITEM # 9 BID AWARD

BL-40-047 and SD-40-002; Thompson/Emerson Barrett Law Sewer and Water Main Extension Project with Drainage Improvements Alternate Bid
\$1,292,778.00 – Eagle Valley

Staff recommended that the Board of Public Works find the Bid of Atlas Excavating Inc., non-responsive, and award Project No. BL-40-047 and SD-40-002, Thompson/Emerson Barrett Law Sewer and Water Main Extension Project with Drainage Improvements Alternate Bid to Eagle Valley, Inc. Staff recommends award of Base Bid "A" Sanitary Sewers in the not exceed amount of \$1,292,778.00 on the basis that it is the lowest responsive and responsible bid. The engineer's estimate for construction of the sanitary sewers for this project is \$1,157,500.00. The percentage between the low Base Bid "A" Sanitary Sewer and the engineer's estimate is 11%. This construction contract is funded by the Indiana Department of Environmental Management, State Revolving Fund. The project includes the installation of gravity and force main sanitary sewers for various sizes, and the installation of 8-inch and 12-inch water lines with related items of works. Also, included is an alternate bid for storm drainage improvement work. The drainage alternate has been eliminated from construction project. Eagle Valley has the lowest responsive and responsible total base bid for the combined amount of \$1,588,428.25. The engineer's estimate is \$1,465,880.25. The percentage between the low base bid and the engineer's estimate were 8%. Upon a motion by Mr. Tew, seconded by Ms. Schalk, the Board voted 6-0 to approve the Thompson/Emerson Barrett Law Sewer and Water Main Extension Project with Drainage Improvements Alternate Bid.

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**The Chair diverted from the standard agenda to hear Professional Services Agreement Item 6e.*

BL-40-047 and SD-40-002; Thompson/Emerson Barrett Law Sewer and Water Main Extension Project with Drainage Improvements Alternate Bid
\$94,601.00 – Commonwealth Engineers, Inc

Staff recommended that the Board of Public Works approve the Construction Inspection Services Agreement with Commonwealth Engineers, Inc. for Project BL-40-047 and SD-40-002, Thomas/Emerson Barrett Law Sewer and Water Extension Project with Drainage Improvements Alternated Bid in the amount not to exceed \$94,601.00. The engineer's estimate for construction of the sanitary sewer is \$1,157,500.00. This project consists of installation of gravity and force main sanitary sewer of various sizes, and the installation of 8-inch and 12-inch water lines with related items of work. The alternate bid for storm drainage improvements has been eliminated from this project. Upon a motion by Mr. Tew, seconded by Ms. Schalk, the Board voted 6-0 to approve the Thompson/Emerson Barrett Law Sewer and Water Main Extension Project with Drainage Improvements Alternate Bid.

ITEM # 10 OTHER BUSINESS

There was no departmental update.

There being no further business the meeting of the Board of Public Works was adjourned at 3:13 p.m.

James A. Garrard, Chair

Kimberly A. Frye, Recording Secretary